



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, DECEMBER 15, 2004

10:00 a.m.
City Council Conference Room
Room 204
City Hall

801 North First Street
San Jose, California

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **December 15, 2004**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Joe Babiasz (joe.babiasz@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. [TR04-092. Tree Removal Permit](#) to remove two palm trees, 64 inches and 59 inches in circumference on a 0.12 gross acre in the R-1-8 Single-Family Residence Zoning District, located at/on the north side of Coe Avenue approximately 150 feet southerly of Palm Haven Avenue (635 COE AV) (Gardner Douglas A, Owner). Council District 6. SNI: None. CEQA: Exempt.
- b. [PDA75-012-02. Planned Development Permit Amendment](#) for the removal of 7 ordinance size trees and 17 other trees on a 15.9 gross acre site in the R-1-5 (PD) Planned Development Zoning District, located at the southwesterly corner of Bernal Road and Santa Teresa Boulevard (Compass Management Group Inc, Owner). Council District 2. CEQA: Exempt.
- c. [PDA91-014-01. Planned Development Permit Amendment](#) for tree removal of one Eucllyptus tree 76 inches in circumference on a 7.98 gross acre site in the A(PD) Planned Development Zoning District, located at the northeast corner of Monterey Road and Ford Road (5500 MONTEREY RD). Council District 2. CEQA: Exempt.

The consent calendar is now closed.

3. **PUBLIC HEARING**

- a. **HP04-006. Historical Preservation Permit** to allow rehabilitation of the Porter Stock Building, a City Landmark, for office and retail uses on a 0.22 gross acre site, in the Downtown Core Zoning District, located on the west side of S. 1ST ST, approximately 150' northerly of E. San Fernando Street (87 S 1ST ST) (Green Valley Enterprises, Barry Swenson Builder, owner/developer). Council District 3. SNI: None. CEQA: Exempt / Rehabilitation in a manner consistent with the Secretary of the Interior's Standards. Deferred from 12/8/04.
- b. The projects being considered are located at the southwest corner of Santa Teresa Boulevard and Snell Avenue. (5899 SANTA TERESA BL), in the A (PD) Planned Development Zoning District. Council District 2. SNI: None. CEQA: Exempt.
 1. **PD04-052. Planned Development Permit** to allow off-sale of alcoholic beverages at an existing shopping center (specialty food market) on a 3.02 gross acre site. Deferred from 12/1/04 and 12/8/04.
 2. **ABC04-008. Liquor License Exception Permit** to allow off-sale of alcoholic beverages at an existing shopping center (specialty food market) in an area with an over-concentration of alcoholic beverage facilities on a 3.02 gross acre site. Deferred from 12/1/04 and 12/8/04.
- c. **H04-017. Site Development Permit** to allow an 80 square foot addition, exterior building and site improvements (including a parking lot expansion previously constructed without benefit of permits) for an existing office building on a 1.14 gross acre site in the CP Pedestrian Commercial Zoning District, located at/on the south side of The Alameda approximately 90 feet westerly of Newhall Street (2115 THE ALAMEDA) (Care Access Silicon Valley, Owner). Council District 6. SNI: None. CEQA: Exempt. Deferred from 12/1/04 and 12/8/04.
- d. The projects being considered are located on south side of East William Street approximately 400 feet westerly of McLaughlin Avenue, in the LI Light Industrial Zoning District (UNION PACIFIC CORP, Owner; KB Home South Bay Inc. Steven Bull, Developer). Council District 3. SNI: Five Wounds/Brookwood Terrace. CEQA: Mitigated Negative Declaration.
 1. **PD04-072. Planned Development Permit** to allow grading, soil remediation, a new public street, and 105 lots for single-family detached residential uses on a 13.06 gross acre site.
 2. **PT04-091. Planned Tentative Map Permit** to subdivide 2 parcels into 105 lots for multiple common lots for single-family detached residential uses on a 13 gross acre site.
- e. **SP03-052. Special Use Permit** to convert an existing single-family residence to commercial use (beauty salon) on a 0.35 gross acre site in the CG General Commercial Zoning District, located at/on the north side of San Felipe Road approximately 50 feet northwesterly of Fowler Road (3630 SAN FELIPE RD)

(Mendoza Alex And Silvia, Owner). Council District 8. SNI: None. CEQA: Exempt. Deferred from 12/8/04.

- f. **SF04-021. Single Family House Permit** and Tree Removal Permit to demolish an existing single-family house and construct a new 3,626 square foot, two-story house with a floor area ratio (FAR) of 0.59. The project also proposes the removal of a 63" in circumference Southern Magnolia tree, on a 0.14 gross acre site in the R-1-8 Residence Zoning District, located at 5534 Big Oak Drive (Lin Chiung-Hsi And Jing-Wen, Owner). Council District 1. CEQA: Exempt. Deferred from 12/1/04.
- g. **PT04-105. Vesting tentative Map Permit** to subdivide six parcels into 25 lots for commercial uses on a 38.28 gross-acre site in the IP Industrial Park Zoning District, located on the southerly corner of Coleman Street and West Taylor Street (481 Coleman Street) (Southern Pacific Transportation Co., Owner). Council District 3. SNI: None. CEQA: Exempt.
- h. **H04-033. Site Development Permit** to construct 6,470 square foot commercial building on a 0.3 gross acre site in the CP Pedestrian Commercial Zoning District, located at/on the southeast corner of Lincoln Avenue and Pascoe Avenue (2280 LINCOLN AV) (Francis Michael F And Francis Mary J, Owner). Council District 6. SNI: None. CEQA: Exempt.
- i. **HA00-111-02. Site Development Permit Amendment** to allow a two year time extension to a previously approved Permit on a 9.45 gross acre site in the IP Industrial Park Zoning District, located at the southwest corner of Piercy Road and Hellyer Avenue (448 PIERCY RD) (Mission West Properties, Owner). Council District 2. SNI: None. CEQA: Edenvale Redevelopment Expansion Area EIR Resolution No. 70021, File No. HA 00-111-02.
- j. **H04-045. Site Development Permit** to demolish existing buildings and construct a 7,735 square foot building for commercial uses on a 0.36 gross acre site in the CP Pedestrian Commercial Zoning District, located at the northwest corner of Almaden Avenue and Willow Street (987 ALMADEN AV) (Bonacorso Frank Et Al, Owner). Council District 3. SNI: Washington. CEQA: Exempt.
- k. **SP04-059. Special Use Permit** to allow the removal of an existing non-conforming two-car garage to be replaced with a new single car garage and workshop structure not to exceed 350 square feet on a 0.12 acre site in the R-1-8 Single-Family Residence Zoning District, located at the south side of Hobson Street approximately 280 feet east of San Pedro Street (90 HOBSON ST) (Ayers Christopher P And Kline Kelly, Owner). Council District 3. SNI: None. CEQA: Exempt.
- l. **H00-056. Site Development Permit** for conversion of an existing single-family residence to a duplex on a 0.19 gross acre site in the R-2 Two-Family Residence Zoning District, located at/on the westerly of South 19th Street and approximately 250 feet northerly of East San Antonio Street (155 S 19TH ST) (Emily Chen, Owner). Council District 03. SNI: Five Wounds/Brookwood Terrace. CEQA: Exempt.

- m. **PDA91-006-70. Planned Development Permit Amendment** to allow a single family residence totaling 5,671 square feet on a 3.42 gross acre site (Country View Estates) in the A(PD) Planned Development Zoning District, located at the west side of Hollow Lake Way (6967 HOLLOW LAKE WY) (Simmons Randall And Vicki, Owner). Council District 10. SNI: None. CEQA: Use of EIR.
- n. **H04-038. Site Development Permit** to construct 1,073,361 square feet of floor area for residential and commercial uses including (1) 335 single-family attached residences, (2) 68,267 square feet of ground-floor retail, and (3) above-and-below grade parking garages on a 2.99 gross acre site in the DC Primary Downtown Commercial Zoning District, located at the southeast corner of of South 2nd Street and East San Fernando Street (100 S. 2nd Street) (San Jose Redevelopment Agency, Owner). Council District 3. SNI: None. CEQA: Mixed-Use Project and Century Center Plan Amendment Final EIR and Addendum thereto.
- o. **SP04-062. Special Use Permit** request to allow a 400 square foot accessory building for storage purposes to an existing single-family residence on a 0.13 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the north side of Wyrick Avenue approximately 300 feet easterly of Sally Drive (1789 WYRICK AV) (Tanner Ernest R Trustee, Owner). Council District 9. SNI: None. CEQA: EXEMPT.

This concludes the Planning Director's Hearing for December 15, 2004. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/index.htm>
PUBLIC INFORMATION COUNTER
(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
PLANNING DIRECTOR'S HEARING**

Synopsis of Staff Recommendations

December 8, 2004

PUBLIC HEARINGS

1. DEFERRALS

a.	HP04-006	DEFERRED TO 12/15/04
b1.	PD04-052	DEFERRED TO 12/15/04
b2.	ABC04-008	DEFERRED TO 12/15/04

1. CONSENT CALENDAR

a.	SP04-058	APPROVED
b.	PDA85-027-01	APPROVED

2. PUBLIC HEARING

a.	PD04-077	APPROVED
b1.	PD04-072	DEFERRED TO 12/15/04
b2.	PT04-091	DEFERRED TO 12/15/04
c.	SP03-052	DEFERRED TO 12/15/04
d1.	PD04-053	APPROVED
d2.	PT04-068	APPROVED